

LABEL, IN PART: (Can) "Contents 6 Lbs. 8 Ozs., Marco Brand Italian Style Peeled Tomatoes Pizza Sauce Packed * * * by Atlantic Canning Co. Mays Landing, N. J."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of fly eggs, and of a decomposed substance by reason of the presence of decomposed tomato material.

Misbranding, Section 403 (e) (2), the article failed to bear an accurate statement of the quantity of the contents. (The article was short-weight.)

DISPOSITION: January 14, 1949. Default decree of condemnation and destruction.

14472. Adulteration of tomato catsup. U. S. v. 90 Cases * * *. (F. D. C. No. 26833. Sample No. 45775-K.)

LIBEL FILED: March 7, 1949, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about November 4, 1948, by Frazier's Fine Foods, Inc., from Alexandria, Ind.

PRODUCT: 90 cases, each containing 6 14-ounce cans, of tomato catsup at St. Louis, Mo.

LABEL, IN PART: "Red Crown Tomato Catsup Contents 14 Ozs. Alexandria Packing Co. Alexandria, Indiana."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: April 4, 1949. Default decree of condemnation and destruction.

14473. Adulteration of tomato catsup. U. S. v. 27 Cases * * *. (F. D. C. No. 24583. Sample No. 19260-K.)

LIBEL FILED: April 1, 1948, Northern District of Ohio.

ALLEGED SHIPMENT: On or about January 20, 1948, by the Morgan Packing Co., from Austin, Ind.

PRODUCT: 27 cases, each containing 6 7-pound, 3-ounce cans, of tomato catsup at Akron, Ohio.

LABEL, IN PART: "Scott Co. Tomato Catsup."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: May 12, 1948. Default decree of condemnation and destruction.

14474. Adulteration of tomato puree. U. S. v. Elmer Netzley (Netzley's Cannery). Plea of guilty. Fine, \$200. (F. D. C. No. 26302. Sample Nos. 20410-K, 45725-K.)

INFORMATION FILED: December 21, 1948, Southern District of Ohio, against Elmer Netzley, an individual, trading as Netzley's Cannery, Laura, Ohio.

ALLEGED SHIPMENT: On or about June 7, 1948, from the State of Ohio into the State of Missouri.

LABEL, IN PART: "Tops-Em Tomato Puree."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: January 12, 1949. A plea of guilty having been entered, the defendant was fined \$200.

14475. Adulteration of tomato puree. U. S. v. 14 Cases * * * (and 7 other seizure actions). (F. D. C. Nos. 24398, 24439, 24578, 25917, 25925, 25954, 25973, 26221. Sample Nos. 18643-K, 18669-K, 22477-K, 41556-K, 41558-K, 41561-K, 44184-K, 44495-K, 45691-K.)

LIBELS FILED: Between January 2 and December 16, 1948, Southern District of Ohio, Eastern and Western Districts of Kentucky, Northern District of Alabama, Northern District of Illinois, Eastern District of Tennessee, and Eastern District of Missouri.

ALLEGED SHIPMENT: Between the approximate dates of September 4, 1947, and November 17, 1948, by the Morgan Packing Co., from Austin, Ind.

PRODUCT: Tomato puree. 138 cases, each containing 48 10½-ounce cans; 238 cases, each containing 6 6-pound, 9-ounce cans; and 117 cases, each containing 72 6-ounce cans, in various lots, at Cincinnati, Ohio; Louisville, Ky.; Gadsden, Ala.; Chicago, Ill.; Chattanooga, Tenn.; Jenkins, Ky., and St. Louis, Mo.

LABEL, IN PART: "Atlas [or "Norton," "Viceroy," "American Beauty," or "Scott Co."] Tomato Puree."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: Between March 11, 1948, and March 9, 1949. Default decrees of condemnation and destruction.

14476. Adulteration of tomato puree. U. S. v. 108 Cases, etc. (F. D. C. Nos. 24665, 24666. Sample Nos. 27177-K, 27182-K, 27183-K.)

LIBEL FILED: On or about June 7, 1948, Eastern District of Illinois.

ALLEGED SHIPMENT: On or about January 2 and 15, 1948, by the Morgan Packing Co., from Austin, Ind.

PRODUCT: Tomato puree. 150 cases, each containing 6 6-pound, 9-ounce cans, and 11 cases, each containing 48 10½-ounce cans, at Danville, Ill.

LABEL, IN PART: "Scott Co. Tomato Puree" or "Mother's Pride Tomato Puree."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: August 12, 1948. Default decree of condemnation. The product was ordered sold for purposes other than for human consumption.

14477. Adulteration of tomato puree. U. S. v. 225 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 25985, 26011. Sample Nos. 9234-K, 9235-K.)

LIBELS FILED: November 1 and 9, 1948, Southern District of New York.

ALLEGED SHIPMENT: On or about August 13 and 30, 1948, by B. Poggioli & Son, from East Vineland, N. J.

PRODUCT: 327 cases, each containing 6 6-pound, 8-ounce cans, of tomato puree at New York, N. Y.